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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

MAXIMILIAN KLEIN, et al.,

Plaintiffs,

vs.

FACEBOOK, INC.,

Defendant.

This Document Relates To: All Actions

Case No. 5:20-cv-08570-LHK (VKD)

Hon. Virginia K. DiMarchi

**DECLARATION OF BRIAN J. DUNNE IN
SUPPORT OF PLAINTIFFS' OPENING
BRIEF REGARDING FACEBOOK, INC.'S
AUGUST 20, 2021 CLAWBACK NOTICE**

1 I, Brian J. Dunne, declare and state as follows:

2 1. I am an attorney licensed in the State of California and admitted to the United States
3 District Court for the Northern District of California. I am an attorney at Bathaee Dunne LLP, which
4 is Interim Co-Lead Counsel for the Advertiser Plaintiffs in the above captioned action.

5 2. This declaration is made in support of Plaintiffs' Opening Brief Regarding Facebook,
6 Inc.'s August 20, 2021 Clawback notice.

7 3. Attached hereto as Exhibit A is a true and correct copy of correspondence from
8 counsel for Facebook dated August 20, 2021 concerning FB_PALM_CLAWBACK004.

9 4. Attached hereto as Exhibit B is a true and correct copy of Facebook's Supplemental
10 Privilege Log dated August 20, 2021.

11 5. Attached hereto as Exhibit C is a true and correct copy of a document produced by
12 Facebook in discovery in this matter, with a beginning Bates number of PALM-002033279.

13 6. Attached hereto as Exhibit D is a true and correct copy of a document produced by
14 Facebook in discovery in this matter, with a beginning Bates number of PALM-002033773.

15 7. Attached hereto as Exhibit E is a true and correct copy of a document produced by
16 Facebook in discovery in this matter, with a beginning Bates number of PALM-002033748.

17 8. Attached hereto as Exhibit F is a true and correct copy of a screenshot of The OutCast
18 Agency's LinkedIn "About" page, taken November 7, 2021.

19 9. Attached hereto as Exhibit G is a true and correct copy of correspondence from
20 counsel for Advertiser Plaintiffs dated September 10, 2021, responding to multiple correspondences
21 from counsel for Facebook—which are dated August 20, 2021, August 17, 2021, July 13, 2021, and
22 June 2, 2021.

23 10. Attached hereto as Exhibit H is a true and correct copy of correspondence from
24 Facebook dated September 27, 2021, responding to Exhibit G.

25 11. Attached hereto as Exhibit I is a true and correct copy of the publicly-filed version
26 of the parties' joint discovery brief (Dkt. No. 168).

